

United States District Court		DISTRICT of ARIZONA
United States of America		DOCKET NO.
v.		MAGISTRATE'S CASE NO.
Luis Fernando Cruz-Valenzuela DOB: 1998; United States Citizen		22-08521MJ

Complaint for violation of Title 18, United States Code, Section 554(a)

COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:

On or about March 1, 2022, in the District of Arizona, **Luis Fernando Cruz-Valenzuela** knowingly and fraudulently exported and sent from the United States, and attempted to export and send from the United States, any merchandise, article, or object contrary to any law or regulation of the United States, and received, concealed, bought, sold, and in any manner facilitated the transportation, concealment, and sale of such merchandise, article or object, that is: two Glock 19 9mm handguns, one Glock 19 9mm handgun, one Glock 22 .40 caliber handgun, six 9mm caliber magazines, and two .40 caliber magazines; knowing the same to be intended for exportation contrary to any law or regulation of the United States, to wit: Title 50, United States Code, Section 4819; Title 15, Code of Federal Regulations, Parts 736.2, 738, and 774; in violation of Title 18, United States Code, Section 554(a).

BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

On March 1, 2022, **Luis Fernando Cruz-Valenzuela** was the driver and sole occupant of a blue 2019 Nissan Rogue. Customs and Border Protection Officers (CBPOs) where conducting outbound inspections at the Mariposa Port of Entry (POE) in Nogales, Arizona. At inspection, CBPOs asked **Cruz-Valenzuela** if he had any currency over \$10,000 or firearms to declare. **Cruz-Valenzuela** gave a negative declaration. CBPOs then questioned **Cruz-Valenzuela** concerning his travel within the United States. **Cruz-Valenzuela** responded that he had been the sole occupant of the vehicle which had been in his control throughout the day. **Cruz-Valenzuela** stated that he had only been in Nogales, Arizona during the day and was traveling to Nogales, Sonora, Mexico to visit with his mother.

During the inspection of the vehicle CBPOs discovered four firearms and eight firearm magazines hidden inside a factory void within the center console between the driver and passenger seats, that is: two Glock 17 9mm handguns, one Glock 19 9mm handgun, one Glock 22 .40 caliber handgun, six 9mm caliber magazines, and two .40 caliber magazines. A further search of **Cruz-Valenzuela** and the vehicle revealed receipts for two of the firearms. One receipt, found in **Cruz-Valenzuela**'s pocket, was for the Glock 19 purchased at a Sportsman's Warehouse in Tucson on March 1, 2022, and bearing the name "Lucis Cruz." The other receipt, found in the vehicle, was for one of the Glock 17s purchased from Diamondback Shooting Sports, Inc. in Tucson with **Cruz-Valenzuela**'s name and the address on his driver's license.

The firearms and firearm magazines found in **Cruz-Valenzuela**'s possession qualify as United States Commerce Control List items and therefore are prohibited by law for export from the United States into Mexico without a valid license. **Cruz-Valenzuela** did not have a license or any other lawful authority to export these items from the United States into Mexico.

MATERIAL WITNESSES IN RELATION TO THE CHARGE: N/A

DETENTION REQUESTED

Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.

AUTHORIZED ALISA *Sarah R. Houston*

Sworn by telephone X

SIGNATURE OF COMPLAINANT

RICHARD A EUSTIS 
Digitally signed by RICHARD A EUSTIS
Date: 2022.03.02 10:15:30 -07'00'

OFFICIAL TITLE

HSI Special Agent Richard Eustis

SIGNATURE OF MAGISTRATE JUDGE¹⁾

Leslie A. Bowman

DATE

March 2, 2022